

SEP 15 2004

60,469-031  
OT-4791

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Gieras, et al  
Serial No.: 09/740,231  
Filed: 12/18/00  
Group Art Unit: 2834  
Examiner: Elkassabgi, Heba  
Title: METHOD OF MAKING TRANSFER FLUX MOTORS

**REQUEST FOR RECONSIDERATION**

Mail Stop AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This paper is responsive to the Final Office Action mailed on July 15, 2004. Applicant respectfully requests reconsideration of this application.

Applicant is grateful for the indication of allowable subject matter.

Applicant respectfully traverses the rejection of claim 10 under 35 U.S.C. §112. There is nothing about the claim that is unclear. The closed ring is clearly recited as part of the stator. Claim 10 is generic to embodiments as shown in Figures 3 and 7, for example, and that does not make the claim unclear. Further, claim 24 more particularly claims one example where the closed ring comprises some of the first core portion and some of the second core portion. Claim 25 more particularly recites another arrangement where a yoke portion is part of the closed ring.

Applicant respectfully traverses the rejection of claim 16 as being anticipated by *Lange*. As previously pointed out, a U-shaped armature is not the same as a generally annular ring. The

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Examiner properly acknowledges that the *Lange* reference includes U-shaped armature elements. Those are not the same as an annular ring. There cannot be any anticipation.

Applicant respectfully traverses the rejection of claim 12 as being unpatentable over the proposed combination of *Lange* and *Weh*. The combination cannot be made. There must be a legally sufficient motivation to make a combination to establish a *prima facie* case of obviousness. In this instance, there is no benefit to making the proposed combination and, therefore, there is no motivation. If one were to somehow incorporate the structure of the *Weh* reference into the *Lange* reference, that would provide no benefit. The *Lange* reference already has components arranged to achieve the magnetization required for operation of that device. There is nothing in the *Weh* reference or the *Lange* reference that in any way hints at or suggests how combining the two would improve either or even have any beneficial effect whatsoever. Claim 12 cannot be considered obvious.

Applicant will appreciate receiving a Notice of Allowance as soon as possible.

Respectfully submitted,

CARLSON, GASKEY & OLDS



By: \_\_\_\_\_

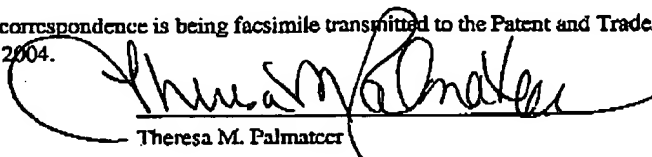
David J. Gaskoy, Reg. No. 37,139  
400 W. Maple Rd., Ste. 350  
Birmingham, MI 48009  
(248) 988-8360

Dated: September 15, 2004

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**CERTIFICATE OF FACSIMILE**

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (Fax No. (703) 872-9306) on September 15, 2004.



Theresa M. Palmatier

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